

REMARKS

This responds to the Office Action dated July 22, 2005. Claims 1 and 19 are amended. No claims are canceled or added. As a result, claims 1-38 remain pending in this patent application.

§103 Rejection of the Claims

1. Claims 1-12 and 19-26 were rejected under 35 U.S.C. § 103(a) for obviousness over Duffin et al. (U.S. Patent No. 5,752,976) in view of Mann et al. (U.S. Patent No. 6,243,606) and further in view of Babitch et al. (U.S. Patent No. 5,930,719). Applicant has amended claims 1 and 19 to overcome this rejection; support for such amendments can be found, for example, in the present patent application's specification at page 11, lines 1-7.

More particularly, Applicant cannot find in the cited portions of these references any disclosure, teaching, or suggestion of removing or altering a first header on data received from the implantable device and providing a different second header on data to be provided to the external remote far-field transceiver, as similarly recited or incorporated in these claims. Thus, because all elements are apparently not present in the cited portions of these references, no *prima facie* case of obviousness presently exists with respect to such claims. Accordingly, Applicant respectfully requests withdrawal of this basis of rejection of these claims.

2. Claims 13-18 and 27-38 were rejected under 35 U.S.C. § 103(a) for obviousness over Duffin et al. (U.S. Patent No. 5,752,976) in view of Babitch et al. (U.S. Patent No. 5,930,719). Applicant respectfully traverses.

Applicant cannot find in the cited portions of these references any disclosure, teaching, or suggestion of an external telemetry interface device that includes a controller, the controller including a data processing module configured to execute instructions to obtain extracted information from electrogram data received (by the external device) from the implanted device, as similarly presently recited or incorporated in these claims. Instead, as the Office Action expressly recognizes:

Duffin et al. teach *the implanted device* 12 can process a patient's electrogram and any measured physiological conditions employed in the diagnosis and store the data, for subsequent telemetry out on interrogation by the external programmer.

(See Office Action at 4 (emphasis added).) Thus, because all elements are apparently not present in the cited portions of these references, no *prima facie* case of obviousness exists with respect to such claims. Accordingly, Applicant respectfully requests withdrawal of this basis of rejection of these claims.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6951 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

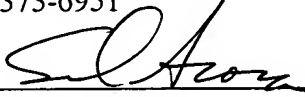
Respectfully submitted,

JEFFREY A. VON ARX ET AL.

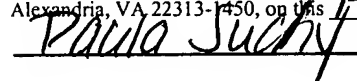
By their Representatives,

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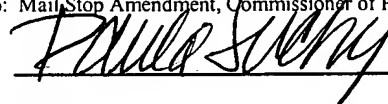
Date October 17, 2005

By 
Suneel Arora
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17 day of October, 2005.



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